

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**CHARLES EDWARD JONES, SR.  
ADC #144544**

**PLAINTIFF**

**v.**

**Case No. 5:19-cv-00022-KGB**

**WENDY KELLEY, Director  
Arkansas Department of Correction**

**DEFENDANT**

**ORDER**

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge Beth Deere (Dkt. No. 9). Plaintiff Charles Edward Jones, Sr. has filed a motion for leave to proceed *in forma pauperis* and a document that was filed as a petition for writ of habeas corpus (Dkt. Nos. 1, 2). Additionally, Mr. Jones filed late objections to the Recommended Disposition, which the Court received *via* email on October 10, 2019, and which have been filed (Dkt. Nos. 11, 12). Mr. Jones also has filed a motion for order, a motion for summary judgment, an amended motion for summary judgment, and a motion for intervention as of right (Dkt. Nos. 13, 14, 15, 16). After a review of the Recommended Disposition, all of Mr. Jones's filings in this case, as well as a *de novo* review of the record, the Court adopts the Recommended Disposition as its findings in all respects (Dkt. No. 9).

According to the Recommended Disposition, Mr. Jones filed a motion to amend/correct a clerical error on January 25, 2019 (Dkt. No. 5). In that motion, Mr. Jones explained that he did not intend to file a federal habeas corpus petition but, rather, intended the documents to be filed as exhibits in an existing 42 U.S.C. § 1983 case currently pending before U.S. District Judge Billy Roy Wilson, No. 5:18-cv-192-BRW (Dkt. No. 9, at 2). Mr. Jones did not intend to file a new federal habeas action or request to proceed *in forma pauperis*; instead, he simply intended to “add

to discovery material for the plaintiff's exhibits." (Dkt. Nos. 5, at 1-2; 9, at 2). Mr. Jones's motion was bolstered by the fact that both the habeas corpus petition and the *in forma pauperis* application were styled as pleadings in the Supreme Court of Arkansas (Dkt. No. 9, at 2). The Court determines that nothing in Mr. Jones's subsequent filings alters Judge Deere's analysis. Therefore, the Court adopts the Recommended Disposition, denies as moot all of Mr. Jones's pending motions, and directs the Clerk to close this case.

So ordered this 18th of February, 2020.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker  
United States District Judge